

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: April 20, 2005

Division: County Attorney

Bulk Item: Yes XX No

Staff Contact Person: Pedro Mercado

AGENDA ITEM WORDING: Approval of settlement agreement in Code Enforcement lien in Monroe County V. Spiridon Pitsoulakis, CE04030202

ITEM BACKGROUND: Property owner was cited for violation of Monroe County Code 19-95, Abandoned Vehicles, due to a semi-trailer being stored on the property without any vehicle tag. Code Enforcement initially contacted the owner of the trailer who informed Code Enforcement that he had permission from the owner of the property to store the trailer on the property. Despite being informed of the fact that the trailer could not be stored on the property, the trailer owner took no corrective action. Code Enforcement then contacted the property owner, Mr. Pitsoulakis, who does not reside in Monroe County. Mr. Pitsoulakis was unaware that the trailer was being stored on his property and informed Code Enforcement that no one had permission to store vehicles on his property. Mr. Pitsoulakis then worked with Code Enforcement to have the vehicles removed and installed a fence around the property to ensure this would not happen again. Due to these facts, staff recommendation is to settle the lien for \$100.00.

PREVIOUS RELEVANT BOCC ACTION:

None

CONTRACT/AGREEMENT CHANGES:

N/A

STAFF RECOMMENDATIONS:

Approval

TOTAL COST: NA

BUDGETED: Yes No

COST TO COUNTY: N/A

SOURCE OF FUNDS:

REVENUE PRODUCING: Yes No **AMOUNT PER MONTH** **Year**

APPROVED BY: County Atty *pe* OMB/Purchasing Risk Management

DIVISION DIRECTOR APPROVAL:

John R. Collins 03/07/05

JOHN R. COLLINS, COUNTY ATTORNEY

DOCUMENTATION: Included Not Required

DISPOSITION:

AGENDA ITEM #

**BEFORE THE CODE ENFORCEMENT SPECIAL MASTER
OF MONROE COUNTY, FLORIDA
The Honorable J. Jefferson Overby, Presiding**

MONROE COUNTY, FLORIDA

Petitioner,

vs.

CASE NO.: CE04030202

**SPIRIDON E. PITSOULAKIS and
OLGA PITSOULAKIS**

Respondent(s)

_____ /

SETTLEMENT AGREEMENT

The Petitioner, Board of County Commissioners of Monroe County, and Spiridon E. Pitsoulakis and Olga Pitsoulakis, Respondents, hereby agree to settle the code enforcement lien imposed in the above-referenced case by the Special Master against property owned by the Respondent(s) as follows:

1. The parties agree to settle the code enforcement lien for \$100.00.
2. The property in question has a legal description of: Block 2, Lot 1, Summerland Key Cove Addition #2, PB, Summerland Key, Monroe County, Florida (RE:00190740-000000)
3. Upon approval of this agreement by the Board of County Commissioners, the Respondents shall remit a check in the amount of \$100.00 made payable to the Board of County Commissioners.
4. Once the aforementioned check has cleared, the County will issue to the Respondents a release and satisfaction of said lien for filing by the Respondents in the Official Records of Monroe County.
5. The County will file a copy of the release and satisfaction in the official Code Enforcement file.

6. By entering into this agreement, the each party agrees to waive any and all claims that it could have raised and/or potential claims that it might have been able to raise as a result of the above-captioned code enforcement case.
7. Both parties warrant that they have had an opportunity to consult with counsel before entering into this agreement.
8. Each party agrees to bear its own costs and attorney's fees other than as specified in this agreement.

ATTEST:

DANNY L. KOLHAGE
CLERK:

BOARD OF COUNTY COMISSIONERS
OF MONROE COUNTY

By: _____
Deputy Clerk

By: _____
Dixie Spehar, Mayor

Dated _____

Spiridon E. Pitsoulakis , Respondent

Notary Public

By: _____
(date)

Olga Pitsoulakis , Respondent

Notary Public

By: _____
(date)

This document was approved as to form by:

Pedro J. Mercado, Esq.
Assistant County Attorney
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